STATUTORY INSTRUMENTS

1973 No. 484

WAGES COUNCILS

The Wages Regulation (Retail Bookselling and Stationery) (Amendment) Order 1973

Made - - -	19*th March* 1973
Coming into Operation	9*th April* 1973

Whereas the Secretary of State has received from the Retail Bookselling and Stationery Trades Wages Council (Great Britain) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Secretary of State in exercise of powers conferred by section 11 of the Wages Councils Act 1959(**a**), as modified by Article 2 of the Counter-Inflation (Wages Councils) Order 1972(**b**), and now vested in him(**c**), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Wages Regulation (Retail Bookselling and Stationery) (Amendment) Order 1973.

2.—(1) In this Order the expression "the specified date" means the 9th April 1973, provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, that date does not correspond with the beginning of the period for which the wages are paid, the expression "the specified date" means, as respects that worker, the beginning of the next such period following that date.

(2) The Interpretation Act 1889(**d**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. The wages regulation proposals set out in the Schedule hereto shall have effect as from the specified date.

Signed by order of the Secretary of State.
19th March 1973.

W. H. Marsh,
Assistant Secretary,
Department of Employment.

(**a**) 1959 c. 69. (**b**) S.I. 1972/1856 (1972 III, p. 5399).
(**c**) S.I. 1959/1769, 1968/729 (1959 I, p. 1795; 1968 II, p. 2108).
(**d**) 1889 c. 63.

Article 3

SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Retail Bookselling and Stationery) Order 1972(a) (Order R.B.C. (46)) shall have effect as if in the Schedule thereto:—

1. for paragraph 6 (which relates to the minimum overtime rates) there were substituted the following paragraph:—

"MINIMUM OVERTIME RATES

6.—(1) Subject to the provisions of this paragraph, overtime shall be payable to all workers at the following minimum rates:—

(*a*) On a Sunday or a customary holiday—

(i) where time worked does not exceed 4½ hours	double time for 4½ hours
(ii) where time worked exceeds 4½ hours but does not exceed 8 hours	double time for 8 hours
(iii) where time worked exceeds 8 hours	double time for all time worked.

Provided that where it is or becomes the practice in a Jewish undertaking for the employer to require attendance on Sunday instead of Saturday, the provisions of this paragraph shall apply as if in such provisions the word 'Saturday' were substituted for 'Sunday', except where such substitution is unlawful.

(*b*) On the weekly short day (not being a weekly short day to which (*c*) of this paragraph applies)
for all time worked after 1.30 p.m. .. time-and-a-half

(*c*) On the weekly short day in any week during which, under sub-section (3) of section 40 of the Shops Act 1950(b), the employer is relieved of his obligation to allow the worker a weekly half day
for all time worked after 1.30 p.m. .. double time

(*d*) In any week, exclusive of any time in respect of which a minimum overtime rate is payable under the foregoing provisions of this paragraph,
for all time worked in excess of 40 hours .. .. time-and-a-half

Provided that in any week which includes one customary holiday '33 hours' shall be substituted for '40 hours'; in any week which includes two customary holidays '26 hours' shall be substituted for the said '40 hours'; *and in any week which includes three customary holidays '19 hours' shall be substituted for the said '40 hours'.*

(2) Overtime rates in accordance with this paragraph shall be payable to a shop manager or a shop manageress only if the overtime worked is specifically authorised in writing by the employer or his representative."

(a) S.I. 1972/1819 (1972 III, p. 5241). (b) 1950 c. 28.

2. for sub-paragraph (1) of paragraph 9 (which relates to customary holidays) there were substituted the following:—

"9.—(1) An employer shall allow to every worker to whom this Schedule applies a holiday (in this Schedule referred to as a 'customary holiday') in each year on each of the days specified in the next following sub-paragraph, provided that—

(*a*) the worker (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) has worked for the employer throughout the last working day on which work was available to him immediately prior to the customary holiday; and

(*b*) *where the customary holiday is the day specified in the next following sub-paragraph as a day to be fixed by the employer (being a day on which the worker would normally work) during the period commencing on 24th December and ending on the next following 3rd January, the worker normally works for the employer for more than 9 hours in a week and has been in the employment of the employer throughout the period of 8 weeks immediately preceding the week in which Christmas Day falls.*"

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which has effect from 9th April 1973, amends the provisions of the Wages Regulation (Retail Bookselling and Stationery) Order 1972 (Order R.B.C. (46)) which relate to minimum overtime rates and customary holidays.

New provisions are printed in italics.

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